

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JENNIFER MARTIN,

§

Plaintiff,

§

v.

§

**COLLIN COUNTY
GOVERNMENT,**

§

Defendant.

§

Civil Action No.: 4:21-cv-711-KPJ

ORDER OF DISMISSAL WITH PREJUDICE

Pending before the Court is Plaintiff Jennifer Martin’s (“Plaintiff”) Motion to Dismiss (the “Motion”) (Dkt. 30), wherein Plaintiff states that she “no longer wish[es] to pursue this lawsuit[.]” *See* Dkt. 30 at 1. Defendant filed a response (Dkt. 31), wherein Defendant indicates that it “does not object to the dismissal of the Plaintiff’s claims, but with the condition that such dismissal be with prejudice and also include the actual employer of Plaintiff, Collin County, Texas.” *See* Dkt. 31 at 1. On January 7, 2022, the Court held a telephone conference on the Motion. *See* Dkt. 32. During the conference, Plaintiff confirmed that she seeks to dismiss all claims with prejudice.

Federal Rule of Civil Procedure 41(a)(1) provides that a plaintiff may voluntarily dismiss an action without court order in one of two ways: (1) a plaintiff may dismiss an action under Rule 41(a)(1)(A)(i) by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” FED. R. CIV. P. 41(a)(1); or (2) a plaintiff may dismiss an action under Rule 41(a)(1)(A)(ii) by filing “a stipulation of dismissal signed by all parties who have appeared.” *Id.* Federal Rule of Civil Procedure 41(a)(2) provides for dismissal by Court order at

the plaintiff's request. *See* FED. R. CIV. P. 41(a)(2) (providing that "an action may be dismissed at the plaintiff's request, on terms that the [C]ourt considers proper.").

Accordingly, Plaintiff's Motion (Dkt. 30) is hereby **GRANTED** pursuant to Fed. R. Civ. P. 41(a)(2).

IT IS ORDERED, ADJUDGED, AND DECREED that this entire action, and all of the claims asserted therein by Plaintiff against Defendant Collin County Government as well as Collin County, Texas, be **DISMISSED WITH PREJUDICE**. Each party shall bear its own costs and fees.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

So ORDERED and SIGNED this 10th day of January, 2022.



KIMBERLY C. PRIEST JOHNSON
UNITED STATES MAGISTRATE JUDGE